
PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 5230) MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5272) TO PROHIBIT CERTAIN ACTIONS WITH RESPECT TO DEFERRED ACTION FOR ALIENS NOT LAWFULLY PRESENT IN THE UNITED STATES, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

August 1, 2014.—Referred to the House Calendar and ordered to be printed.

MR. SESSIONS, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 5230, making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes, under a closed rule. The resolution provides one hour of additional debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution provides that the amendments printed in Part A of this report shall be considered as adopted. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides that after passage of H.R. 5230 and on the legislative day of August 1, 2014, the House shall consider H.R. 5272, to prohibit certain actions with respect to deferred action for aliens not lawfully present in the United States, and for other purposes, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on

the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment printed in Part B of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 3 of the resolution strikes section 2 of House Resolution 700 and replaces it with the following: "Sec. 2. It shall be in order at any time on the legislative day of August 1, 2014, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to a measure addressing missile defense of Israel."

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against provisions in H.R. 5230, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 5272, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 5272, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 183

Motion by Mr. Polis to amend the rule to H.R. 5230 to make in order and provide the appropriate waivers for amendment #10 offered by Rep. Polis (CO), which requires the Speaker to bring the House's bipartisan comprehensive immigration bill to the floor. Defeated: 5-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....		Mr. Polis.....	Yea
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....	Yea		
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 184

Motion by Ms. Foxx to report the rule. Adopted: 9-4

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Yea	Ms. Slaughter.....	Nay
Mr. Bishop of Utah.....	Yea	Mr. McGovern.....	Nay
Mr. Cole.....	Yea	Mr. Hastings of Florida.....	Nay
Mr. Woodall.....	Yea	Mr. Polis.....	Nay
Mr. Nugent.....	Yea		
Mr. Webster.....	Yea		
Ms. Ros-Lehtinen.....	Yea		
Mr. Burgess.....	Yea		
Mr. Sessions, Chairman.....	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 5230 IN PART A
CONSIDERED AS ADOPTED

1. Rogers, Harold (KY): Changes the underlying bill by adding \$35 million for the National Guard, and providing transfer authority, to allow states to be reimbursed for National Guard activities related to border security and the current influx of illegal immigrants. The amendment also increases the rescission in section 201 by \$35 million.
2. Carter (TX): Strikes the bill's multilayered adjudicatory process for unaccompanied alien minors apprehended along the border. It inserts language to treat minors from Central American countries in the same expedited fashion as we treat minors from Mexico.
3. Rogers, Mike (AL): Creates a new restriction that prevents the Secretary of Defense from allowing the placement of unauthorized aliens at military installations if doing so would displace members of the Armed Forces (including Guard and Reserve) or interfere with the activities of the Armed Forces (including Guard and Reserve).

SUMMARY OF THE AMENDMENT TO H.R. 5272 IN PART B
CONSIDERED AS ADOPTED

1. Blackburn (TN): SUBSTITUTE Prevents the Administration from expending any funds to (1) adjudicate new applications under DACA or any similar memorandum or policy, (2) authorize a new deferred action program for any class of aliens; and (3) authorize work permits for unlawful aliens.

PART A—TEXT OF AMENDMENTS TO H.R. 5230 CONSIDERED AS
ADOPTED

1. AMENDMENT BY REPRESENTATIVE ROGERS OF KENTUCKY

12

AMENDMENT TO H.R. 5230
OFFERED BY MR. ROGERS OF KENTUCKY

Page 6, after line 4, insert the following new section:

1 SEC. 105. Notwithstanding any other provision in
2 this or any other Act, amounts transferred to the Depart-
3 ment of Homeland Security pursuant to section 202 of
4 this Act shall be provided by the Secretary of Homeland
5 Security under the heading “Federal Emergency Manage-
6 ment Agency—State and Local Programs” to States along
7 the Southwest Border of the United States as reimburse-
8 ment for necessary costs of National Guard personnel acti-
9 vated under the operational control of the Governors of
10 such States and deployed for the purpose of border secu-
11 rity.

Page 6, line 10, strike “\$12,419,000” and insert
“\$47,419,000”.

Page 7, line 6, strike “GENERAL PROVISION”
and insert “GENERAL PROVISIONS”.

Page 7, line 11, strike “\$35,000,000” and insert
“\$70,000,000”.

Page 7, after line 12, insert the following new section:

1 SEC. 202. Notwithstanding any other provision in
2 this Act, of the amounts made available by this Act for
3 “National Guard Personnel, Army”, the Secretary of De-
4 fense shall transfer to the Department of Homeland Secu-
5 rity such funds as may be necessary, not to exceed
6 \$35,000,000, to reimburse the States for the cost of any
7 units or personnel of the National Guard, to perform oper-
8 ations and missions under State Active Duty status, de-
9 ployed in support of a southern border mission.

Page 9, strike lines 15 through 18 and insert the following:

10 (4) conduct public outreach campaigns to ex-
11 plain the dangers of the journey to the Southwest
12 Border of the United States, emphasize the lack of
13 immigration benefits available, and emphasize that
14 illegal aliens will be removed to their country; and



2. AMENDMENT BY REPRESENTATIVE CARTER OF TEXAS

#13

AMENDMENT TO H.R. 5230

OFFERED BY MR. CARTER OF TEXAS

In the table of contents that begins on page 11,
after line 24, strike the items relating to sections 102
through 106 and insert the following:

Sec. 102. Last in, first out.

Sec. 103. Emergency immigration judge resources.

Sec. 104. Protecting children from human traffickers, sex offenders, and other
criminals.

Sec. 105. Inclusion of additional grounds for per se ineligibility for asylum.

Beginning on page 12, strike line 3 through page
29, line 9, and insert the following:

1 SEC. 101. REPATRIATION OF UNACCOMPANIED ALIEN CHIL-
2 DREN.

3 Section 235(a) of the William Wilberforce Trafficking
4 Victims Protection Reauthorization Act of 2008 (8 U.S.C.
5 1232(a)) is amended—

6 (1) in paragraph (2)—

7 (A) by amending the paragraph heading to
8 read as follows: “RULES FOR UNACCOMPANIED
9 ALIEN CHILDREN.”;

10 (B) in subparagraph (A)—

11 (i) in the matter preceding clause (i),
12 by striking “who is a national or habitual

1 resident of a country that is contiguous
2 with the United States”;

3 (ii) in clause (i), by inserting “and” at
4 the end;

5 (iii) in clause (ii), by striking “; and”
6 and inserting a period; and

7 (iv) by striking clause (iii);
8 (C) in subparagraph (B)—

9 (i) in the matter preceding clause (i),
10 by striking “(8 U.S.C. 1101 et seq.)
11 may—” and inserting “(8 U.S.C. 1101 et
12 seq)—”;

13 (ii) in clause (i), by inserting before
14 “permit such child to withdraw” the fol-
15 lowing: “may”; and

16 (iii) in clause (ii), by inserting before
17 “return such child” the following: “shall”;
18 and

19 (D) in subparagraph (C)—

20 (i) by amending the subparagraph
21 heading to read as follows: “AGREEMENTS
22 WITH FOREIGN COUNTRIES.”; and

23 (ii) in the matter preceding clause (i),
24 by striking “The Secretary of State shall
25 negotiate agreements between the United

1 States and countries contiguous to the
2 United States” and inserting “The Sec-
3 retary of State may negotiate agreements
4 between the United States and any foreign
5 country that the Secretary determines ap-
6 propriate”; and

7 (2) in paragraph (5)(D)—

8 (A) in the matter preceding clause (i), by
9 striking “, except for an unaccompanied alien
10 child from a contiguous country subject to the
11 exceptions under subsection (a)(2),” and insert-
12 ing “who does not meet the criteria listed in
13 paragraph (2)(A)”; and

14 (B) in clause (i), by inserting before the
15 semicolon at the end the following: “, which
16 shall include a hearing before an immigration
17 judge not later than 14 days after being
18 screened under paragraph (4) and the unaccom-
19 panied alien child shall be detained until such
20 hearing”; .

21 **SEC. 102. LAST IN, FIRST OUT.**

22 In any removal proceedings under section 240 of the
23 Immigration and Nationality Act (8 U.S.C. 1229a) with
24 respect to an unaccompanied alien child (as defined in sec-
25 tion 462(g)(2) of the Homeland Security Act of 2002 (6

1 U.S.C. 279(g)(2))), priority shall be accorded to the alien
2 who has most recently arrived in the United States.

Page 29, strike lines 10 and 11 and insert the following:

3 **SEC. 103. EMERGENCY IMMIGRATION JUDGE RESOURCES.**

4 Not later than 14 days after the

Page 29, beginning on line 16, strike “judges” and all that follows through “section 102.” on line 20 and insert “judges.”.

Page 29, strike line 24 through page 30, line 3.

Page 30, line 4, strike “**105.**” and insert “**104.**”.

Page 31, line 17, strike “**106.**” and insert “**105.**”.



3. AMENDMENT BY REPRESENTATIVE ROGERS OF ALABAMA

#14

AMENDMENT TO H.R. 5230
OFFERED BY MR. ROGERS OF ALABAMA

Add, at the end of the bill the following::

1 **SEC. 303. LIMITATION ON PLACEMENT OF UNAUTHORIZED**
2 **ALIENS AT MILITARY INSTALLATIONS.**

3 (a) LIMITATION.—The Secretary of Defense may not
4 allow the placement of unauthorized aliens at a military
5 installation in the United States if the use of the military
6 institution to house or care for unauthorized aliens
7 would—

8 (1) displace members of the Armed Forces serv-
9 ing on active duty or in a reserve or Guard status;
10 or

11 (2) interfere with activities of the Armed
12 Forces, including reserve components thereof, at the
13 installation.

14 (b) DEFINITIONS.—In this section:

15 (1) The term “military installation” has the
16 meaning given such term in section 2801(c)(4) of
17 title 10, United States Code.

18 (2) The term “unauthorized alien” means an
19 alien unlawfully present in the United States, but

- 1 does not include a dependent of a member of the
- 2 Armed Forces.

In the table of contents that begins on page 11,
after line 24, insert after the item pertaining to section
302 the following:

Sec. 303. Limitation on placement of unauthorized aliens at military installations.



PART B—TEXT OF AMENDMENT TO H.R. 5272 CONSIDERED AS
ADOPTED

1. AMENDMENT BY REPRESENTATIVE BLACKBURN OF
TENNESSEE

#1R

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5272
OFFERED BY MRS. BLACKBURN OF TENNESSEE**

Strike all that follows after the enacting clause, and
insert the following:

**1 SECTION 1. LIMITATION ON DEFERRED ACTION FOR
2 CHILDHOOD ARRIVALS; RESTRICTIONS ON
3 EMPLOYMENT AUTHORIZATION FOR ALIENS
4 NOT IN LAWFUL STATUS.**

5 No agency or instrumentality of the Federal Govern-
6 ment may use Federal funding or resources after July 30,
7 2014—

8 (1) to consider or adjudicate any new or pre-
9 viously denied application of any alien requesting
10 consideration of deferred action for childhood arriv-
11 als, as authorized by Executive memorandum dated
12 June 15, 2012 and effective on August 15, 2012 (or
13 by any other succeeding Executive memorandum or
14 policy authorizing a similar program);

15 (2) to newly authorize deferred action for any
16 class of aliens not lawfully present in the United
17 States; or

1 (3) to authorize any alien to work in the United
2 States if such alien—

3 (A) was not lawfully admitted into the
4 United States in compliance with the Immigra-
5 tion and Nationality Act (8 U.S.C. 1101 et
6 seq.); and

7 (B) is not in lawful status in the United
8 States on the date of the enactment of this Act.

